

REMARKS

Favorable consideration of the subject application is respectfully requested in view of the above amendments and the following remarks. Claims 76-81 and 83-100 are currently pending in the Application. Claims 76-81 stand rejected and claims 83-100 have been allowed by the Examiner. By the above amendment, claims 76-78 have been amended to incorporate the allowable subject matter of now canceled claim 83. Claim dependencies have been updated accordingly. The above amendments do not reflect acquiescence to the stated grounds for rejection and are made without prejudice to prosecution of any subject matter modified and/or removed by the amendment in a related divisional, continuation and/or continuation-in-part application.

Claims 76-81 stand rejected under 35 U.S.C. § 112, first paragraph, as subject matter which was not described in the specification in such a way as to enable one of skill in the art to which it pertains, or with which it is most nearly connected, to practice the invention commensurate in scope with the claims. More particularly, according to the Examiner, one of skill in the art would be unable to practice the invention of claims 76-81, directed to methods employing antibodies that bind to an HAV-containing cyclic peptide, without undue experimentation. The Examiner acknowledges that the specification is enabling for methods employing antibodies that bind an HAV-containing cyclic peptide having the structural features set forth in dependent claim 83.

Applicants respectfully traverse the grounds for this rejection. The specification as filed offers ample guidance concerning the modulation of cadherin-mediated processes using HAV-containing peptides and antibodies directed thereto. Indeed, the specification demonstrates experimentally that HAV-containing cyclic peptides can modulate such processes, including disrupting the ability of mouse cerebellar neurons to extend neurites (*e.g.*, Examples 2 & 8), disrupting adhesion of endothelial cells which express N-cadherin (Example 3), disrupting adhesion of human ovarian cancer cells (Example 4), blocking the growth of blood vessels from pre-existing blood vessels (Example 5), disrupting NRK cell adhesion (Example 6), enhancing the permeability of human skin (Example 7), disrupting melanoma cell adhesion (Example 9), and disrupting human breast epithelial cell adhesion (Example 10). In view of this extensive disclosure of HAV-containing cyclic peptides modulating numerous cadherin-mediated


processes, Applicants respectfully submit that a skilled artisan would indeed understand how to practice the invention of rejected claims 76-81, and could practice it without undue experimentation and with a reasonable expectation of success. Nevertheless, in the interest of advancing this case to allowance, and without prejudice to prosecution of any canceled subject matter in a related application, Applicants have canceled allowed claim 83 and have amended independent claims 76-78 to incorporate the limitations of allowed claim 83. The currently claimed invention is thus now drawn to subject matter specifically acknowledged by the Examiner as being allowable. Accordingly, Applicants respectfully request a Notice of Allowance for the subject application.

The Commissioner is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,

Orest W. Blaschuk et al.

SEED Intellectual Property Law Group PLLC



Res: 44/614 For

Jeffrey Hundley, Ph.D., Patent Agent
Registration No. 42,676

JEH:jab

701 Fifth Avenue, Suite 6300
Seattle, Washington 98104-7092
Phone: (206) 622-4900; Fax: (206) 682-6031
C:\NrPortb\iManage\JUDIB\434818_1.DOC